

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DONTE LEE HARRIS,

Plaintiff,

v.

KATHLEEN ALLISON, et al.,

Defendants.

Case No. [20-cv-09393-CRB](#)

CLARIFICATION ORDER

On July 5, 2022, the Court granted Defendants a stay pending appeal of the Court's earlier decision denying them qualified immunity and PREP Act immunity at this early stage of the proceedings. Order (dkt. 41); see Order on MTD (dkt. 30). On July 6, Defendants moved for clarification of this order. Mot. (dkt. 42). They seek clarification as to whether the Court also denied (or at least stayed) Plaintiff's cross-motion to certify Defendants' interlocutory appeal as frivolous. See Cross-Motion (dkt. 40). While the Court continues to believe that Defendants' interlocutory appeal will not be meritorious, it declines to find that it is frivolous. Plaintiff's cross-motion is DENIED, and Defendants need not respond to it.

IT IS SO ORDERED.

Dated: July 6, 2022



CHARLES R. BREYER
United States District Judge